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MERCK-2331

In re Application of: MELANIE KLASEN-MEMMER ET AL.

Application No. 10/022,523

Filed: December 20, 2001

For: LIQUID-CRYSTAL MEDIUM, AND ELECTRO-OPTICAL DISPLAY CONTAINING SAME

The owner Merck Patent GmbH of Darmstadt, Germany 100 percent interest by virtue of an assignment document recorded on December 20, 2001 (Reel 012396/Frame 0634), in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,674,722. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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